

LAW OFFICES
WARN, HOFFMANN, MILLER & LALONE, P.C.

Intellectual Property Matters
PATENTS, TRADEMARKS AND COPYRIGHTS

Ronald P. Bender
Richard W. Hoffmann
Douglas P. LaLone
John A. Miller
Gregory L. Ozga
Peter J. Rashid
Scott P. Ryan
Philip R. Warn

691 North Squirrel Road – Suite 140
Auburn Hills, Michigan 48326

Telephone: (248) 364-4300
Facsimile: (248) 364-4285

www.warnhoffmann.com

May 30, 2006

Via Facsimile Only

U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

BEST AVAILABLE COPY

Attention: Refunds Branch

Re: Request for Refund
on Monthly Statement of Deposit Account No. 501612
for Warn, Hoffmann, Miller & LaLone, P.C.
Statement Dated 12-30-2005

and Charge on Statement for U.S. Patent Application.
Serial No. 10/797,448 - Filed: March 10, 2004
Attorney Docket No. SUP-00001

Dear Sir/Madam:

To follow is a copy of the December 2005 Monthly Statement of Deposit Account No. 501612 for Warn, Hoffmann, Miller & LaLone, P.C. This is a Request to Refund the amount of \$60.00 charged on December 2, 2005 for a One Month Extension of Time for the above patent application, since no Extension of Time was requested or necessary.

Enclosed are copies of the Office Action dated August 25, 2005, and our Amendment and Response to Office Action dated November 23, 2005. Our Response was timely filed, and we should not have been charged for an Extension of Time.

Thank you very much for your attention to this matter. If you have any questions, please contact me at (248) 364-4300.

Very truly yours,


Philip R. Warn
Reg. No. 32775

PRW:jey
Enclosures



[Return To
USPTO Home
Page](#)
[Finance
Online
Shopping
Page](#)

Deposit Account Statement

Requested Statement Month: December 2005
Deposit Account Number: 501612
Name: WARN,HOFFMANN, MILLER & LALONE P.C.
Attention: PHILIP R. WARN
Address: 691 NORTH SQUIRREL ROAD
City: AUBURN HILLS
State: MI
Zip: 48328
Country: UNITED STATES

DATE SEQ	REF TXT	POSTING ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/02 1	10797448	SUP-00001	2251	\$60.00	\$3,133.00
12/02	1096 5037628	FAD-50001	8021	\$40.00	\$3,093.00
12/06 15	11266818	SCH-00126	1202	-\$150.00	\$3,243.00
12/06 17	11266818	SCH-00126	1203	-\$360.00	\$3,603.00
12/07 370	11196050		8021	\$40.00	\$3,563.00
12/08 102	11236475	705289 US	8021	\$40.00	\$3,523.00
12/09 136	11217246	DK 03132A (BWI-00105)	8021	\$40.00	\$3,483.00
12/09 140	11195907		8021	\$40.00	\$3,443.00
12/12 5	11209107	DKT 04141A (BWI-00123)	8021	\$40.00	\$3,403.00
12/28 203	11203708	DKT 04066 (BWI-00114)	8021	\$40.00	\$3,363.00
12/28 287	11243673	DEC-00035	8021	\$40.00	\$3,323.00
12/29 67	11243149	DEC-00018 (705204)	8021	\$40.00	\$3,283.00
12/30 4	10685336		9204	-\$200.00	\$3,483.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$3,193.00	\$420.00	\$710.00	\$3,483.00

[Need Help?](#) | [USPTO Home Page](#) | [Finance Online Shopping Page](#)

Booth OA
Due: 11/25/05

Office Action Summary

<i>Office Action Summary</i>	Application No.	Applicant(s)
	10/797,448	BLISS, JOSEPH
	Examiner Charles Goodman	Art Unit 3724

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply*

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(e). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 June 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-848)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/28/04
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,448	03/10/2004	Joseph Bliss	SUP-00001	4424
7590	08/25/2005			
Warn, Burgess & Hoffmann, P.C. P.O. Box 70098. Rochester Hills, MI 48307			EXAMINER GOODMAN, CHARLES	
			ART UNIT 2724	PAPER NUMBER

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Application/Control Number: 10/797,448
Art Unit: 3724

Page 2

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by To (US 6,000,322).

To discloses a press die comprising all the elements claimed including, inter alia, a lower adaptor (e.g. 64) and an upper adaptor (e.g. 40a). See whole patent.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Goodman whose telephone number is (571) 272-4508. The examiner can normally be reached on Monday-Thursday between 7:30 AM to 6:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap, can be reached on (571) 272-4514. In lieu of mailing, it is encouraged that all formal responses be faxed to (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

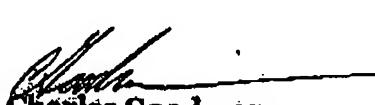
Application/Control Number: 10/797,448
Art Unit: 3724

Page 3

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).



Charles Goodman
Primary Examiner
AU 3724

cg
August 22, 2005

CHARLES GOODMAN
PRIMARY EXAMINER



U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Approved for use through 04/30/2003. OMB 0851-0031
Use of the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Subsidies for some of our projects

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

MENT BY APPROVAL
(Use all twenty sheets at command)

Sheet 1

1

Complete If Known	
Application Number	10/797,448
Filing Date	March 10, 2004
First Named Inventor	Joseph Bliss
Serial Number	3724
Assignee Name	To Be Assigned
Attorney Docket Number	SUP-00001

Examiner Signature *[Signature]* **Date Considered** *10/20/05*

EXAMINER: Indicate if reference considered, whether or not citation is in conformance with MPEP 606. Draw line through citation if not in conformance and not considered, include copy of this form with next communication to applicant. "Applicant's unique citation designation number (optional)." See *Kinds of Codes of USPTO Patent Documents* at www.uspto.gov or MPEP 601.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. "Kind of document by Translator is attached.

This collection of information is required by 37 CFR 1.87 and 1.88. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and estimating the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/21 (09-04)
Approved for use through 07/31/2008. OMB 0651-0091
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

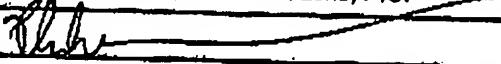
Total Number of Pages in This Submission

Application Number	10/797,448
Filing Date	March 10, 2004
First Named Inventor	Joseph Bliss
Art Unit	3724
Examiner Name	Charles Goodman
Total Number of Pages in This Submission	SUP-00001

ENCLOSURES (Check all that apply)

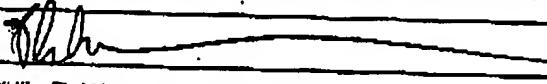
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> Return Receipt Postcard
<small>Remarks</small> Applicant believes no fee to be due for the attached filing, however, should additional fees be due in order to prevent the abandonment of this application, please consider this as authorization to charge Deposit Account No. 501612 (Warn, Hoffmann, Miller & LaLane, P.C.) for any such fees due. A duplicate copy of this document is enclosed for this purpose.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Warn, Hoffmann, Miller & LaLane, P.C.		
Signature			
Printed name	Philip R. Warn		
Date	November 23, 2005	Reg. No.	32775

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being faxed/transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
Typed or printed name	Philip R. Warn - Reg. No. 32775
Date	November 23, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/797,448
Filing Date: March 10, 2004
Applicant: Joseph Bliss
Group Art Unit: 3724
Examiner: Charles Goodman
Title: MODULAR DIE PRESS ASSEMBLY
Attorney Docket: SUP-00001

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

This is in response to the Examiner's Office Action dated August 25, 2005, to which a timely three month response is due by November 25, 2005. The Applicant respectfully requests reconsideration of the Examiner's rejections in view of the remarks set forth below. Please amend the above-identified application as follows:

Remarks begin on page 10 of this paper.

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims

Claim 1. (Original): A die adaptor system for use in a press machine comprising:
a lower adaptor including a lower forming plate including a raised upwardly facing contact surface;
an upper adaptor including an upper forming plate including a raised downwardly facing contact surface;
a tool package formed by said upper adaptor and said lower adaptor, wherein said tool package can be interchanged with a different tool package;
a lower shoe detail including a lower die shoe forming a base of said lower shoe detail, wherein said lower die shoe has an upper surface configured to receive said lower adaptor as a part of said lower shoe detail; and
an upper shoe detail having an upper die shoe forming a base of said upper shoe detail, wherein said upper shoe detail has a lower surface configured to receive said upper adaptor as part of said upper shoe detail.

Claim 2. (Original): The die adaptor system of claim 1 wherein said tool package formed by said lower adaptor and said upper adaptor are abuttingly engaged along said downwardly facing contact surface and said upwardly facing contact surface.

Claim 3. (Original): The die adaptor system of claim 1 wherein said upper surface of said lower die shoe further comprises:

a punch adaptor that rests on the upper surface of said lower die shoe and extends upward from said upper surface; and

a lower binder holder that extends across said lower die shoe, wherein said lower binder holder includes an aperture that circumscribes said upper portion of said punch adaptor to form a recess for receiving said lower adaptor.

Claim 4. (Original): The die adaptor system of claim 3 wherein said lower adaptor further comprises a lower binder plate that circumscribes said raised upwardly facing contact surface, wherein said lower binder plate functions to size the lower adaptor to fit within said aperture of said lower binder holder.

Claim 5. (Original): The die adaptor system of claim 3 further comprising a pair of rotating latches which have an end disposed in said aperture of said lower binder holder.

Claim 6. (Original): The die adaptor system of claim 3 further comprising one or more nitro cylinders dispersed along said upper surface of said lower die shoe, wherein said nitro cylinders provide greater binder holding pressure.

Claim 7. (Original): The die adaptor system of claim 1 wherein said lower surface of said upper die shoe further comprises an upper binder holder, wherein said upper binder holder has a centrally located aperture for receiving said upper adaptor plate.

Claim 8. (Original): The die adaptor system of claim 7 wherein said upper adaptor further comprises an upper binder plate that circumscribes said raised downwardly facing contact surface, wherein said upper binder plate functions to size said upper adaptor to fit within said aperture of said upper binder holder.

Claim 9. (Original): The die adaptor system of claim 7 further comprising one or more keeper pins connected to the upper binder holder, wherein said keeper pins are configured to fasten said upper adaptor to said upper binder holder.

Claim 10. (Original): The die adaptor system of claim 1 further comprising:
one or more locator pins attached to said upper surface of said lower die shoe and extending toward said upper die shoe; and
one or more locator pin holes in said lower surface of said upper die shoe, wherein said one or more locator pin holes is configured to receive said one or more locator pins during a pressing operation.

Claim 11. (Original): The die adaptor system of claim 1 further comprising:
a first lower binder holder that rests against two or more raised edges of said lower die shoe and extends across said lower die shoe, wherein said first lower binder holder has an aperture;
a first upper binder holder, extending across said upper die shoe, wherein said first upper binder holder has an aperture;
a second lower binder holder that can be interchanged with said first lower binder holder, wherein said second lower binder holder has an aperture that is a different size or shape than said aperture of said first lower binder holder; and

a second upper binder holder that is configured to be interchanged with said first upper binder holder, wherein said second upper binder holder has an aperture that is a different size or shape than said aperture of said first upper binder holder.

Claim 12. (Original): The die adaptor system of claim 1 further comprising a lift mechanism positioned below said tool package, wherein said lift mechanism contacts the bottom surface of said lower adaptor to allow said lift mechanism to raise and lower said tool package.

Claim 13. (Original): The die adaptor system of claim 12 wherein said lift mechanism is a rack and pinion lift mechanism that is integrated as part of said lower die shoe.

Claim 14. (Original): The die adaptor system of claim 12 wherein said lift mechanism operates by contacting a flange mounted to the side of said lower adaptor.

Claim 15. (Original): The die adaptor system of claim 12 wherein said lift mechanism is hydraulically or pneumatically operated.

Claim 16. (Original): The die adaptor system of claim 1 wherein said tool package is a tool package for a punch press having a lower adaptor having a forming surface and one or more punch cores having holes therethrough, and an upper adaptor having a forming surface and one or more punches configured to align with said holes of said one or more punch cores.

Claim 17. (Original): The die adaptor system of claim 1 wherein said lower binder holder has one or more chutes that extend through said lower binder holder to a collection pan.

Claim 18. (Original): A die adaptor system for use in a press machine comprising:

a lower adaptor including a lower forming plate and a lower binder plate, said lower forming plate including a raised upwardly facing contact surface that is encircled by the lower binder plate;

an upper adaptor including an upper forming plate and an upper binder plate, said upper adaptor plate including a raised downwardly facing surface that is encircled by the upper binder plate;

a tool package formed by said upper adaptor and said lower adaptor, said tool package being abuttingly engaged along said downwardly facing contact surface and said upwardly facing contact surface, wherein said tool package can be interchanged with a different tool package;

a lower shoe detail including a lower die shoe forming a base of said lower shoe detail, said lower die shoe including an upper surface configured to receive a punch adaptor that rests on the upper surface of said lower die shoe and extends upward from said upper surface, wherein said lower shoe detail includes a lower binder holder that rests on the edges of said lower die shoe and extends across said lower die shoe, wherein said lower binder holder includes a generally centrally located aperture that circumscribes the upper portion of said punch adaptor; and

an upper shoe detail having an upper die shoe forming a base of said upper shoe detail, wherein said upper die shoe has a lower surface configured to receive an upper

binder holder, wherein said upper binder holder has a centrally located aperture for receiving and holding said upper adaptor plate.

Claim 19. (Original): The die adaptor system of claim 18 further comprising a lift mechanism positioned below said tool package, wherein said lift mechanism contacts the bottom surface of said lower adaptor to allow said lift mechanism to raise and lower said tool package.

Claim 20. (Original): A method of interchanging tool packages in a die press adaptor system providing a press, a first tool package formed by a first lower adaptor and a first upper adaptor, a lower shoe detail formed by a lower die shoe having an upper surface configured to receive said first lower adaptor, an upper shoe detail including an upper die shoe having a lower surface configured to receive said first upper adaptor, and a second tool package formed by a second lower adaptor and a second upper adaptor, said method comprising:

forming said first tool package, wherein forming the first tool package includes lowering said upper shoe detail toward said lower shoe detail, wherein said first upper adaptor engages said first lower adaptor, disconnecting said first upper adaptor from said upper said shoe detail, raising said upper shoe detail away from said lower shoe detail, and disconnecting said first lower adaptor from said lower shoe detail;

removing said first tool package from said press;

inserting said second tool package into said press;

connecting said second lower adaptor to said lower shoe detail;

lowering said upper shoe detail toward said lower shoe detail; and

connecting said second upper adaptor to said upper shoe detail.

Claim 21. (Original): The method of claim 20 further comprising providing a lift mechanism configured to raise said first tool package vertically above said lower shoe detail to assist in said step of removing said first tool package from said press.

Claim 22. (Original): The method of claim 20 further comprising providing one or more keeper pins removably connected through said upper shoe detail, wherein said one or more keeper pins is removed to release said first upper adaptor from said upper shoe detail during said step of disconnecting, and said one or more keeper pins in connected through said upper shoe detail to fasten said second upper adaptor to said upper shoe detail during said step of connecting.

Claim 23. (Original): The method of claim 20 further comprising providing one or more rotatable latches that are configured to releasably fasten said first and second lower adaptors to said lower shoe detail during said steps of disconnecting said first lower adaptor and connecting said second lower adaptor.

Claim 24. (Original): The method of claim 20 further comprising:
providing a lower binder holder that rests against two or more raised edges of said lower shoe detail and extends across said lower shoe detail, wherein said lower binder holder has an aperture configured to receive said first lower adaptor; and
an upper binder holder removably connected to and extending across said upper shoe detail, wherein said upper binder holder has an aperture configured to receive said first upper adaptor.

Claim 25. (Original): The method of claim 24 further comprising:

providing a second lower binder holder having an aperture having a different size or shape than said aperture of said first binder holder;

providing a second upper binder holder having an aperture having a different size or shape than said aperture of said first upper binder holder;

Interchanging said first lower binder holder and said first upper binder holder with said second binder holder and said second upper binder holder; and

Introducing to said press a third lower adaptor and a third upper adaptor having a size configured to fit within said second binder holder and said second upper binder holder respectively.

REMARKS**Status of the Claims**

Claims 1-25 are pending in this application.

Claims 1-25 are rejected.

Rejection of Claims 1-25 Under 35 U.S.C. § 102(b)

Claims 1-25 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by U.S. Patent No. 6,000,322 by To. The Applicant respectfully traverses the 35 U.S.C. § 102(b) rejection of claims 1-25. The law is clear that anticipation requires that a single prior art reference disclose each and every limitation of the claim sought to be rejected. 35 U.S.C. § 102(b). The law is also clear that a claim in dependent form shall be construed to incorporate all the limitations of the claim to which it refers. 35 U.S.C. § 112, ¶ 4.

Applicant respectfully maintains that independent claim 1 is not anticipated by To '322 because independent claims 1, 12, and 18 disclose a die adapter system where the die has a lower die shoe with an upper surface configured to receive a lower adapter. Likewise, claim 1 also discloses an upper die shoe with a lower surface configured to receive an upper adapter. Thus, only a portion of the die is being removed and replaced in the press of the present invention. By contrast, To '322 discloses a bolster assembly which is used to remove and replace the entire die being used in the press. The Office Action referred to a lower adapter 64 and an upper adapter 40a of To '322. However, reference number 64 discloses a drive mechanism that is used to insert and remove the entire die. Col. 4, lines 47-50. Thus, the drive

Application No. 10/797,448

Page 10

mechanism 64 assist in inserting and removing the heavy dies of the molder, and it is not an adapter for attaching a portion of the die. Similarly, reference number 40a discloses a work station where a work piece is conveyed and an initial draw can be performed. Col. 7, Lines 10-12. Thus, the work station is not teaching an upper adapter where a portion of the die is attached.

In view of the foregoing, the Applicant respectfully submits that claim 1, 12, and 18 define over the art cited by the Examiner and respectfully requests withdrawal of the rejection. Likewise, claims 2-11, 13-17, and 19-25, which depend from claims 1, 12, and 18 respectfully, further define the invention and define over the art cited by the Examiner. Thus, Applicant respectfully requests withdrawal of the rejection.

Furthermore, the Applicant submits that To '322 does not render claims 1-25 obvious. The standard for obviousness is that there must be some suggestion, either in the reference or in the relevant art, of how to modify what is disclosed to arrive at the claimed invention. In addition, "[s]omething in the prior art as a whole must suggest the desirability and, thus, the obviousness, of making" the modification to the art suggested by the Examiner. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 U.S.P.Q.2d (BNA) 1434, 1438 (Fed. Cir.), cert. denied, 488 U.S. 825 (1988). The Applicant respectfully submits that To '322 does not teach or suggest the use of an upper die assembly and a lower die assembly in order to insert and remove only a portion of the die from the injection molder. To '322 illustrates the considerable weight of the dies being removed by including 12 wheels on the bolsters 262 to distribute the weight. Col. 10, Lines 7-11. To '322 also discloses that removing and loading the dies can take considerable time. Col. 7, Lines 28-30. The present invention overcomes these disadvantages by having an upper die shoe and a lower die shoe so that only a small part of the die is being loaded and removed. Thus, the time to load and remove

the die is greatly reduced, since the portion being replaced in the present invention is much lighter than the die being replaced in To '322. Therefore, the Applicant respectfully submits that To does not render claims 1-25 obvious and request allowance of the claims.

CONCLUSION

It is respectfully submitted that in view of the above amendments and remarks the claims 1-25, as presented, are patentably distinguishable because the cited patents, whether taken alone or in combination, do not teach, suggest or render obvious, the present invention. Therefore, Applicant submits that the pending claims are properly allowable, which allowance is respectfully requested.

The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 364-4300 if any unresolved matters remain.

Respectfully submitted,

WARN, HOFFMANN, MILLER & LALONE, P.C.
Attorneys for Applicant(s)

By:



Phillip R. Wam
Reg. No. 32775

P.O. Box 70098
Rochester Hills, MI 48307
(248) 364-4300

Dated: November 23, 2005

PRW:SPR:slm

Application No. 10/797,448

Page 12

PAGE 21/21 * RCVD AT 5/30/2005 10:52:17 AM (Eastern Daylight Time) * SVR:USPTO-EFXRF-2/3 * DNI:2736500 * CSID:2483644285 * DURATION (mm:ss):05:44

LAW OFFICES
WARN, HOFFMANN, MILLER & LALONE, P.C.

Intellectual Property Matters
PATENTS, TRADEMARKS AND COPYRIGHTS

Ronald P. Bender
Richard W. Hoffmann
Douglas P. LaLone
John A. Miller
Gregory L. Ozga
Peter J. Rashid
Scott P. Ryan
Philip R. Warn

691 North Squirrel Road – Suite 140
Auburn Hills, Michigan 48326

www.warnhoffmann.com

Telephone: (248) 364-4300
Facsimile: (248) 364-4285

FAX MESSAGE

Number of Pages: 20

(Please let us know by phone or fax if you do not receive any of these pages)

Date: May 30, 2006

To: Attention: Refunds Branch

Company: United States Patent and Trademark Office

Fax Number: 571-273-6500

From: Philip R. Warn

Re: Serial No. 10/797,448

* * * * *

Comments:

NOTICE:

This facsimile transmission and all contents contain information from Warn, Hoffmann, Miller & LaLone, P.C., which is privileged, confidential or otherwise protected from disclosure. The information is intended for the addressee(s) only. If you are not the addressee, any disclosure, copy, distribution or use of the contents of this message is prohibited. If you have received this facsimile transmission in error, please notify us immediately and destroy the original message and all copies.

United States Patent and Trademark Office
- Sales Receipt -

12/02/2005 LWASHING 00000001 501612 10797448

01 FC:2251 60.00 DA

Adjustment date: 07/13/2006 SFELEKE1
12/02/2005 LWASHING 00000001 501612 10797448
01 FC:2251 60.00 CR

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record.**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

BLACK BORDERS

IMAGE CUT OFF AT TOP, BOTTOM OR SIDES

FADED TEXT OR DRAWING

BLURRED OR ILLEGIBLE TEXT OR DRAWING

SKEWED/SLANTED IMAGES

COLOR OR BLACK AND WHITE PHOTOGRAPHS

GRAY SCALE DOCUMENTS

LINES OR MARKS ON ORIGINAL DOCUMENT

REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY

OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.